

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Acting Chairman;
Nanci E. Langley, Vice Chairman;
Mark Acton; and
Tony Hammond

Competitive Product Prices
Global Plus 1C Contracts (MC2012-6)
Negotiated Service Agreement

Docket No. CP2015-70

ORDER GRANTING MOTION FOR TEMPORARY RELIEF AND APPROVING
MODIFICATION TWO

(Issued June 24, 2016)

The negotiated service agreement approved in this proceeding (Existing Agreement) is set to expire June 30, 2016.¹ The Postal Service has filed a signed successor agreement in Docket No. CP2016-215 that it states is intended to go into effect on July 1, 2016.²

On June 23, 2016, the Postal Service filed a combined notice of filing a modification (Modification Two) and motion for temporary relief in which it requests the Commission to “continue to list the [Existing Agreement]...on the Mail Classification Schedule until the sooner of (1) June 30, 2016, if the Commission completes its review

¹ See Order Approving Modification One to Global Plus 1C Negotiated Service Agreement, May 16, 2016 (Order No. 3293).

² Docket No. CP2016-215, Notice of the United States Postal Service Filing of a Functionally Equivalent Global Plus 1C Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, June 17, 2016, at 3 (Docket No. CP2016-215 Notice).

of the successor agreement filed in Docket No. CP2016-215 by June 30, 2016; or (2) the business day after the Commission completes its review of the successor agreement, thereby replacing the earlier potential termination date that the Postal Service filed in this docket.”³

The Existing Agreement is currently set to expire on June 30, 2016. See Order No. 3293 at 2. The Postal Service has proposed July 1, 2016, as the effective date for the successor agreement. Docket No. CP2016-215 Notice at 3. By requesting that the Existing Agreement expire the sooner of June 30, 2016, or one business day after the Commission completes its review of the successor agreement, a gap in the coverage between the agreements could result. For example, if the Commission were to approve the successor agreement on June 28, 2016, it would appear that the Existing Agreement would expire on June 29, 2016, as it is the earlier of one business day after the Commission completed its review of the successor agreement and June 30, 2016. Given the Postal Service’s representation in its Motion that it does not want a gap in coverage between the agreements, the Commission interprets the second clause to be operative only if the Commission does not complete its review by June 30, 2016. See Motion at 1. The Postal Service should resolve this ambiguity in future filings for temporary relief.

Allowing the Existing Agreement to remain in effect temporarily is in the public interest and will not prejudice any person. The Motion is granted and Modification Two is approved. If the Commission completes its review of the successor agreement on or before June 30, 2016, the Existing Agreement will expire on June 30, 2016. If the Commission completes its review of the successor agreement after June 30, 2016, the Existing Agreement will expire one business day after the Commission completes its review.

³ Motion of the United States Postal Service for Temporary Relief and Notice of the United States Postal Service of Filing Modification Two to a Global Plus 1C Contract Negotiated Service Agreement, June 23, 2016, at 2 (Motion).

It is ordered:

1. The Motion of the United States Postal Service for Temporary Relief and Notice of the United States Postal Service of Filing Modification Two to a Global Plus 1C Contract Negotiated Service Agreement, filed June 23, 2016, is granted as discussed in the body of this Order.

By the Commission.

Stacy L. Ruble
Secretary